STANDARD APPLICATION Harford County Board of Appeals

Bel Air, Maryland 21014

	Case No	55 to 2
2. A. 2006	Date Filed	7/20/06
	Hearing Da	te
	Receipt	
	Fee	0.00

Shaded Areas for Office Use Only

	Type of Application	on	Nature of Reques	t and Section(s)	of Code	
	Iministrative Decision/Interpre	etation	Territoria di di seria di seri	Political control and a second		
	ecial Exception	CA	CASE 5562 MAP 60 TYPE Variance ELECTION DISTICT 01 LOCATION 2537 Sinsko Lane, Joppa 21085			
	e Variance					
. /	ange/Extension of Non-Confo	rming Use BY	Sina Ighani, 8212 Evergree	n Drive, Parkville 213	234 and Sharighih Ighani	
	nor Area Variance ea Variance				7-34C Table II of the Harford	
	riance from Requirements of th				e 80' rear yard setback (77'	
	ning Map/Drafting Correction					
	map, prairing contour	ргор	osed in the AG District requ	ires approval by the H	Soard.	
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Street	Number	Street	City	State	Zip Code	
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ttorney/Repre	sentative		Phone Numb	oer		
idress						
Street N	lumher	Street	City	State	Zip Code	

Land Description
Address and Location of Property 25.37 Sinsko Lane, Joppa Mo
<u>31085</u>
Subdivision Ld of F. Sinsko Lot Number
Acreage/Lot Size $\frac{3.18}{}$ Election District $\frac{0}{}$ Zoning $\frac{AG}{}$
Tax Map No. OCCO Grid No. OOGE Parcel O339 Water/Sewer: Private Public Public
List ALL structures on property and current use: Carage - USEd tor Storage
Shed-used for storage House- residence Estimated time required to present case: 12 hour
If this Appeal is in reference to a Building Permit, state number
Would approval of this petition violate the covenants and restrictions for your property?
Is this property located within the County's Chesapeake Bay Critical Area? Yes No
If so, what is the Critical Area Land Use designations:
Is this request the result of a zoning enforcement investigation? Yes No
Is this request within one (1) mile of any incorporated town limits? Yes No
To connect a preezeway from new house to the existing garage. De are requesting
luotification
Integrage is already existing on property It the cove requirement is 30 ft, from property HOE to back of garage. Our distance is 17 ft. We are asking for a 3 ft. veriance
DEW DOUSE TO EXISTING GARAGE
If additional space is needed, attach sheet to application. In answering the above questions, please refer to the Requirements that pertain to the type of approval
request. (Special Exception, Variance, Critical Area or Natural Resource District (NRD) Variance, etc.)

CALE: 1 50FF

DAVID R. CRAIG HARFORD COUNTY EXECUTIVE





C. PETE GUTWALD DIRECTOR OF PLANNING & ZONING

OCT

6 2006

HARFORD COUNTY GOVERNMENT

Department of Planning and Zoning

August 24, 2006

STAFF REPORT

BOARD OF APPEALS CASE NO. 5562

APPLICANT/OWNER:

Sina Ighani

8212 Evergreen Drive, Parkville, Maryland 21234

Co-APPLICANT:

Sharighih Ighani

2537 Sinsko Lane, Joppa, Maryland 21085

CONTRACT PURCHASER: Sina Ighani

8212 Evergreen Drive, Parkville, Maryland 21234

REPRESENTATIVE:

Applicants

LOCATION:

2537 Sinsko Lane – Lands of E. Sinsko

Tax Map: 60 / Grid: 4E / Parcel: 0339 / Lot: 1

Election District: First (1)

ACREAGE:

2.181 acres

ZONING:

AG/Agricultural

DATE FILED:

July 20, 2006

HEARING DATE:

October 18, 2006

APPLICANT'S REQUEST and JUSTIFICATION:

Request:

"To connect a breezeway from new house to the existing garage. We are requesting a minor area variance."

 \sim Preserving Harford's past; promoting Harford's future \sim

STAFF REPORT Board of Appeals Case Number 5562 Sina and Sharighih Ighani Page 2 of 4

Justification:

"The garage is already existing on property and the code requirement is 80 feet from property line to back of garage. Our distance is 77-feet. We are asking for a 3-foot variance in order to connect our breezeway from the new house to existing garage."

CODE REQUIREMENTS:

The Applicants are requesting a variance pursuant to Section 267-34C, Table II of the Harford County Code to permit a garage to be located within the 80'foot rear yard setback (70-feet proposed in the Agricultural District).

Enclosed with the report is a copy of Section 267-34C, Table II (Attachment 1).

LAND USE and ZONING ANALYSIS:

Land Use – Master Plan:

The Applicants property is located in the southwestern portion of the County north of Franklinville Road on the southwest side of Sinsko Lane. A location map, a copy of the Applicant's site plan and the final plat are enclosed with the report (Attachments 2, 3 and 4).

The subject property is located outside of the Development Envelope. The predominant land use designation is Agricultural. There is parkland located along the Harford County/Baltimore County line. The Natural Features Map reflects Sensitive Species Project Review areas, Stream systems and Agricultural Preservation Districts and Easements. The subject property is designated as Agricultural which is defined by the 2004 Master Plan as:

Agricultural – Areas where agriculture is the primary land use, but where development rights are available. Residential development is possible at a density of 1.0 dwelling unit for every 10 acres. Commercial uses within this area are intended to serve the agriculture industry or residents of the area while maintaining the character of the surrounding countryside.

Enclosed with the report are copies of portions of the 2004 Land Use Map and the Natural Features Map (Attachments 5 and 6).

Land Use – Existing:

The existing land uses conform to the overall intent of the 2004 Master Plan. The predominant land uses include agricultural and single family residential uses. The topography for the area ranges from rolling to steep. A topography map and a copy of the aerial photograph are enclosed with the report (Attachments 7 and 8).

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The Applicants property is an irregular shaped parcel with the majority of its frontage on Sinsko Lane which is a private road. The property also has a panhandle out to Franklinville Road. Because of the road configuration the lot has front yard setbacks on 3 sides. Improvements consist of an older home located to the eastern side of the property. This dwelling will be converted to a storage building once the new dwelling is complete. Located to the western side of the property is a detached 3 car garage. To the left or east side of the garage there is a new home under construction. Since the lot has three front yards the fourth side is considered the rear yard. Once the garage is attached to the dwelling it must meet the 80 foot rear yard setback. Attached are site photographs and an enlargement of the aerial photo (Attachment 9 and 10).

Zoning:

The zoning classifications in the area are consistent with the 2004 Master Plan as well as the existing land uses. The predominant zoning classification is AG/Agricultural. There are also areas of RR/Rural Residential. Commercial zoning along Route 152 includes B1/Neighborhood and B2/Community Business District. The subject property is zoned AG/Agricultural. Enclosed with the report is a copy of the zoning map (Attachment 11).

SUMMARY:

The Applicants are requesting a variance pursuant to Section 267-34C, Table II of the Harford County Code to permit a garage to be located within the 80'foot rear yard setback (70-feet proposed in the Agricultural District).

Variances of this nature may be approved by the Board of Appeals pursuant to Section 267-11 of the Harford County Code, provided it finds by reason of the uniqueness of the property or topographical conditions that literal enforcement of the Code would result in practical difficulty and undue hardship. Further, the applicant must show that the request will not be substantially detrimental to adjacent properties or will not materially impair the purpose of the Code or the public interest.

The Department finds that the property is unique based on its configuration. The Applicants are requesting to attach a breezeway between the new dwelling that is under construction and the existing garage that was built in 1999 (Attachment 12). The garage is over 100 feet from the dwelling on the adjacent property. The reduced setback will not adversely impact the adjacent properties or the intent of the code.

RECOMMENDATION and or SUGGESTED CONDITIONS:

The Department of Planning and Zoning recommends that the requested variance be approved subject to the applicants obtaining all necessary permits for the breezeway.

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1 mid Sylow Dennis J. Sigler, Coordinator Zoning & Board of Appeals Review

DJS/ASM/jf

Anthony S. McClune, AICP Deputy Director, Planning and Zoning